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EXAMINER

RIMELL, SAMUEL G

ART UNIT PAPER NUMBER

2165

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,551

Applicant(s)

SAARI ET AL.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) •
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ •
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1: In the third to last paragraph, the phrase “the services produced by it” lacks antecedent basis. In the second to last paragraph, the phrase “the service definition data” lacks antecedent basis.

Claim 2: In the first paragraph, the phrase “the version number” lacks antecedent basis.

Claim 3: In the first paragraph, the phrase “the version number” lacks antecedent basis.

Claim 4: The phrase “the address data of the database manager” lacks antecedent basis.

Claim 5: The phrases “the address data of the database manager” and “the name service” lack antecedent basis.

Claim 7: The phrase “the specification data” lacks antecedent basis.

Claim 8: The phrase “the content of the service” lacks antecedent basis.

Claim 9: The phrase “the data collected by the database manager” lacks antecedent basis.

Claim 10: The phrase “the data contained in the database” lacks antecedent basis.

Claim 13: In the third to last paragraph, the phrase “the service produced by the service provider” lacks antecedent basis. In the second to last paragraph, the phrase “the definition data” lacks antecedent basis.

Claim 14: In the first paragraph, the phrase “the version number” lacks antecedent basis.

Claim 15: The phrase “the version number” lacks antecedent basis.

Claim 17: The phrase “the address data of the database manager” lacks antecedent basis.

Claim 18: The phrase “the information produced by the service provider” lacks antecedent basis.

Claim 20: The phrase “the content of the service produced by the service provider”.

Claim 22: The phrase “the information contained in the database”.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-13 and 16-24 are rejected under 35 U.S.C. 102(e) as being anticipated by O’Toole et al. (U.S. Patent 6,757,723).

Claim 1: O’Toole et al. discloses a database (30) containing the information of tables (2,34,26). The information is essential to the operation of a network (FIG. 3) which includes a telephone switching system (within Internet). A database manager (28) controls the database (30). The network further includes a service provider (18—the appliance 18 provides services to the LAN 14). The registration of the service provider (18) is the initial boot message sent from the service provider (18) to the database manager (FIG. 4, step 114). The inquiry is the response sent by the database manager (step 116 on left-most side of FIG. 4. Note that FIG. 4 has two reference numerals 116, the inquiry is the left most block 116). The step of storing the definitions data are the steps (120) where the service provider sends its Ethernet address, and step (226), where the appliance is sent a web page by which it can transmit its configuration data. The new

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definitions file is a new row of information loaded into the rows of table (2, 34, 36) that define the characteristics of the service provider.

Claim 4: As described at col. 6, line 44, the address of the database manager (“Soda.net”) is established with a Domain Name Service (DNS), which is a name service used within the Internet.

Claim 5: In order to establish a domain name on the standard DNS service, an inquiry with that service (registration of the domain name) must inherently be performed.

Claim 6: The information sent by the service provider (18) to the database manager (18) is illustrated in the tables (34) and (36). This information includes identification data (Appliance IP) associated with each row of data sent.

Claim 7: Any of the information in tables (2, 34, 36) are readable as specification data. The Appliance IP is readable as the “fixed specification data” and the “owner”, “status” and configuration” is data that is specific to a network element (the appliance 18).

Claim 8: Data in the database passes through the database manager (28). In table (36), this information includes a reference to a file (Appliance IP information) and content of service (configuration information).

Claim 9: The database manager (30) collects information into the tables (2, 34, 26). Each one of these tables is an individual database.

Claim 10: The definitions files are the rows of the databases. These contain data and are part of a database.

Claim 11: Each completed database table (2, 34, 26) is considered to be a generated report, lacking any further detail on what the report is supposed to contain.

Claim 12: The reports (tables) are changed when rows of information are added, such as status or configuration information in tables (34) or (36).

Claim 13: See remarks for claim 1.

Claim 16: See remarks for claim 4.

Claim 17: See remarks for claim 5.

Claim 18: See remarks for claim 6.

Claim 19: See remarks for claim 7.

Claim 20: See remarks for claim 8.

Claim 21: See remarks for claim 9.

Claim 22: See remarks for claim 10.

Claim 23: See remarks for claim 11.

Claim 24: See remarks for claim 12.

Claims 2, 3, 14 and 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
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